

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

11/15/22
adopted without objection.
Patricia Saris

DIRK S. ADAMS,
Plaintiff,

v.

CIVIL ACTION NO. 20-11366-PBS

MIKI L. GISSELL, and
RICHARD FERGUSON,
Defendants.

REPORT AND RECOMMENDATION ON
PLAINTIFF'S MOTION FOR DISCOVERY (#176).

Familiarity with the previous rulings in this case is presumed. Plaintiff Dirk S. Adams has been sanctioned for abusive litigation conduct. *See* #170 (Order adopting #144, Report and Recommendation). The award of attorneys' fees and costs to defendant Miki L. Gissell, whose efforts to obtain a temporary restraining order against and to divorce Adams preceded this lawsuit, among numerous others, and to defendant Richard Ferguson, Gissell's boss, has yet to be calculated. Adams' response to defendants' petition for attorneys' fees and costs, *see* #177, is not due until November 9, 2022, *see* #174.

Presently before the court¹ is Adams' motion for discovery of:

1. Retainer agreements between defendants and defense counsel and defendants and Cedar Band Corporation (CBC) or defendants' employer, CBC Mortgage Agency (CBCMA);
2. Documents evidencing defense counsel's compliance with Massachusetts Rule of Professional Conduct 1.8(f), governing compensation by a third party;
3. Invoices sent by defense counsel to the defendants and CBC or CBCMA;
4. Indemnification agreements between defendants and CBC or CBCMA;

¹ Judge Saris has referred the motion to this court. (#181.) Because plaintiff is essentially seeking posttrial relief, the court is entering a report and recommendation rather than a memorandum and order. *See* #144 at 1 n.1 (and authorities collected).